

his appointment and giving bond and authenticated as required by the act of congress as aforesaid, the probate court, of the proper county in this state, may cause suitable orders to be made discharging any resident guardian, executor or administrator and authorizing the delivery and passing over such property, and also requiring receipts to be passed and recorded if deemed advisable; *Provided*, That in all cases thirty days, notice shall be given to the resident guardian, executor or administrator of the intended application for the order of removal, and the court may reject the application, and refuse such order whenever it is satisfied that it is for the interest of the ward that such removal should not take place.

Duty of Judge
of Probate.

SEC. 3. This act shall take effect and be in force from and after its passage.

When act to take
effect.

Approved March 5, 1868.

CHAPTER LXVIII.

An Act to amend section one hundred and forty-three, title nine, chapter sixty-six, of the General Statutes, entitled "Attachment."

March 6, 1868.

- SECTION 1. Amendment to Section 143, Title 9, Chapter 66. Attachment shall be a lien upon real estate—how released.
2. Repeal of inconsistent acts.
 3. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one hundred and forty-three, title nine, chapter sixty-six, of the general statutes, be amended to read as follows:

Sec. 143. Whenever any real estate has been attached by virtue of any writ of attachment, such real es-

Lien how released.

tate shall be bound and the attachment shall be a lien thereon from the time that a certified copy of the attachment, with the description of the real estate, has been delivered for record in the office of the register of deeds in the county where the same is situated, and not otherwise. Each register of deeds shall note the day, hour and minute when he receives such certified copy and shall record and index the same in the books kept for the recording and indexing of mortgages. Such real estate may be discharged and released of record from such attachment in the following manner, to wit :

First—By filing for record in the office of the register of deeds of the county wherein such real estate is situated, a certified copy of the order discharging or vacating said attachment.

Second—By filing for record with such register of deeds, satisfaction of judgment rendered in such action.

Third—by judgment being rendered in the action in favor of the defendant against whom the attachment is issued, upon filing for record in the office of said register of deeds a transcript of such judgment.

Fourth—By filing for record in the office of such register of deeds a satisfaction and discharge of such attachment executed by the plaintiff in said action in the same manner as is required by law for the execution of conveyances of real estate

Repeal of inconsistent acts.

SEC. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

When act to take effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 6, 1868.